

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

**JAMES E. CLEMONS,  
ADC #78567**

**PETITIONER**

**v.**

**No. 5:12-cv-176-DPM**

**WENDY KELLEY, Director, Arkansas  
Department of Correction**

**RESPONDENT**

**ORDER**

1. In light of the Court of Appeals' judgment and mandate, *No. 50 & 54*, this Court vacates its 8 September 2015 Order assessing the \$505.00 appellate filing fee. *No. 49*. The Court directs Clemons's custodian to stop collecting payments under that Order. And the Court directs the Clerk to refund any portion of the appellate filing fee already collected. Clemons's custodian must return any refunded money to Clemons's prison trust account.

2. The Court directs the Clerk to send a copy of this Order to three places: (1) the Warden of the Varner Unit, P.O. Box 600, Grady, Arkansas 71644-0600; (2) the ADC Trust Fund Centralized Banking Office, P.O. Box 8908, Pine Bluff, Arkansas 71611; and (3) the ADC Compliance Office, P.O. Box 20550, Pine Bluff, Arkansas 71612-0550.

So Ordered.

D.P. Marshall Jr.  
D.P. Marshall Jr.  
United States District Judge

9 March 2016